GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2726
ANSWERED ON:10.05.2016
Procedure for Phone Tapping
Sanjar Shri Alok

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the details of parameter and procedure regarding phone tapping of individuals;

(b) whether phone tapping is permissible under the law;

(c) if so, the details thereof and if not, the details of penalties imposed in such cases; and

(d) the details of phone tapping machines being installed for phone tapping in personal capacity and the machines used for the same?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HARIBHAI PARATHIBHAI CHAUDHARY)

(a) to (c): Lawful interception /phone tapping is being done by the Law Enforcement Agencies, duly authorised by Central and State Governments, in the interest of the sovereignty, and integrity of India, the security of the State, friendly relations with Foreign States or public order or for preventing incitement to the commission of an offence as per the provisions of section 5(2) of the Indian Telegraph Act, 1885 and procedure defined under Rule 419 A of the Indian Telegraph Rules, 1951.
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(d): the use of passive interception units by individuals and Off-the-Air Interception equipment is not permissible under the provisions of the India Telegraph Act 1885.
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